

Message Text

SECRET

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43

ORIGIN SS-30

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DRAFTED BY IO/UNP:TSCULLY

APPROVED BY THE SECRETARY

L/OES:MR. BETTAUER

EUR/IB:MR. LUKENS

D/LOS:MR. MCINTYRE

DOD:CAPT BAKER

EUR:MR. STABLER

D/LOS:MR. MOORE

T:MR. MAW

S/S-MR. GAMMON

----- 045184

O 121854Z AUG 74

FM SECSTATE WASHDC

TO AMEMBASSY MADRID IMMEDIATE

INFO AMEMBASSY CARACAS IMMEDIATE

S E C R E T STATE 175651

EXDIS

E.O. 11652: XGDS (1)

TAGS: PLOS

SUBJECT: LOS: LETTER FROM SECRETARY TO SPANISH FOREIGN
MINISTER

FOR AMBASSADOR FROM SECRETARY

CARACAS FOR LOS DEL

1. YOU SHOULD MAKE EARLIEST POSSIBLE APPOINTMENT WITH
FOREIGN MINISTER CORTINA TO DELIVER LETTER FROM ME
REGARDING SPANISH OPPOSITION TO OUR STRAITS OBJECTIVES
IN THE LOS CONFERENCE. BY SEPARATE TELEGRAM, THERE ARE
BEING TRANSMITTED SPECIFIC POINTS YOU SHOULD MAKE TO
CORTINA ON DELIVERING LETTER. FULL TEXT OF LETTER FOLLOWS:

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2. "DEAR MR. MINISTER

IT WAS A PLEASURE FOR ME TO MEET WITH YOU IN MADRID
LAST MONTH. THE CONCLUSION OF THE JOINT DECLARATION OF
PRINCIPLES BETWEEN OUR TWO GOVERNMENTS IS A SOURCE OF
SATISFACTION TO ME AND MARKS A NEW ERA OF FULL AND FRANK
CONSULTATIONS BETWEEN SPAIN AND THE UNITED STATES.

IT IS IN THE SPIRIT OF THE JOINT DECLARATION THAT I
WISH TO RAISE A MATTER OF BASIC IMPORTANCE ON WHICH,
UNFORTUNATELY, THERE IS A SERIOUS DIVERGENCE OF VIEWS

BETWEEN OUR TWO GOVERNMENTS. I REFER TO THE QUESTION OF
THE REGIME FOR TRANSIT OF STRAITS USED FOR INTERNATIONAL
NAVIGATION, WHICH IS ONE OF THE MAJOR ELEMENTS OF THE
NEGOTIATIONS TAKING PLACE AT THE LAW OF THE SEA
CONFERENCE IN CARACAS, VENEZUELA.

RECOGNITION IN THE LAW OF THE SEA TREATY OF UNIMPEDED
TRANSIT THROUGH, OVER AND UNDER STRAITS USED FOR INTER-
NATIONAL NAVIGATION IS OF VITAL IMPORTANCE TO THE
UNITED STATES. WE BELIEVE THAT SUCH A RIGHT PROMOTES
AND IS NECESSARY TO THE COMMON SECURITY OF BOTH OUR
COUNTRIES. AT THE SAME TIME, WE ARE AWARE OF THE
INTERESTS OF SPAIN REGARDING THE NEED FOR SAFETY OF
NAVIGATION AND PREVENTION OF POLLUTION IN STRAITS,
INCLUDING THE STRAIT OF GIBRALTAR.

IT IS A MATTER OF DEEP CONCERN TO ME THAT OUR
POSITIONS REMAIN APART ON THESE IMPORTANT ISSUES.
THEREFORE, I SUGGEST WE INSTRUCT OUR RESPECTIVE LOS
REPRESENTATIVES IN CARACAS TO MEET TO SEE IF THEY CAN
AGREE ON A REGIME FOR THE LOS TREATY WHICH WILL ASSURE
UNIMPEDED TRANSIT BY ALL VESSELS OF STRAITS USED FOR
INTERNATIONAL NAVIGATION WHILE FULLY PROTECTING SAFETY
AND THE MARINE ENVIRONMENT IN STRAITS.

UNITED STATES REPRESENTATIVES IN CARACAS ARE READY
AT ANY TIME TO JOIN WITH THEIR SPANISH COLLEAGUES IN
THE RESOLUTION OF THIS DIFFICULT QUESTION. I BELIEVE
THAT ITS RAPID SETTLEMENT IS IN THE INTEREST OF BOTH
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OUR COUNTRIES.

BEST REGARDS, HENRY A. KISSINGER" KISSINGER

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NNN

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